

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Patrick J. Halloran on 09/04/2010.

The application has been amended as follows:

In claim 88, line 3, after "blocking agent comprising" and before "a surfactant" insert:  
  
an aversive agent-impermeable material and

The following is an examiner's statement of reasons for allowance: The closest prior art is that of Oshlack et al (US Patent No. 7,658,939) which sequesters the antagonist. In the embodiment which includes microparticles (see col. 6, lines 22-29), the particles are coated with antagonist, then coated again with the hydrophobic material. The agonist may be in the surrounding matrix or in a separate capsule of agonist. The instant invention similarly sequesters the antagonist, but then coats the particles with a layer of agonist which is neither disclosed nor suggested by the prior

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art. With regard to the col. 31, lines 57-67, the Oshlack et al patent takes an extrusion product containing multiple microparticles and then either includes particles of agonist which are not blocked by a hydrophobic compound, or coats the entire matrix containing multiple particles with a layer of agonist. The difference between the prior art and that of the instant claims is that each bead or microparticle is not separately coated as in the instant claims. Looking now to Example 27 A, the example refers to one sequestering unit, which does contain a surfactant. However, no agonist coating of the separate bead is included and as cited above, the reference teaches away from separately coating each bead in favor of coating the entire multiparticulate product (including matrix) which may include beads of other bioactives. As such, the instant invention is allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos A. Azpuru whose telephone number is (571) 272-0588. The examiner can normally be reached on Tu-Fri, 6:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fereydoun G. Sajjadi can be reached on (571) 272-3311. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Carlos A. Azpuru/  
Primary Examiner, Art Unit 1617

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